

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

MARY JANE SMOOT,

Plaintiff,

VS.

CITY OF SHAVANO PARK, TEXAS,

Defendant.

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Civil Action No. 5:19-cv-0865-XR

**DEFENDANT CITY OF SHAVANO PARK'S**  
**UNOPPOSED MOTION FOR CONTINUANCE OF STATUS CONFERENCE**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE XAVIER RODRIGUEZ:

**NOW COMES** the **CITY OF SHAVANO PARK**, Defendant in the above entitled and numbered cause and files this its Unopposed Motion for Continuance of the Status Conference scheduled for December 5, 2019 [ECF Doc. No. 8] and would respectfully show unto the Court the following:

**I.**

Defendant's counsel is scheduled for oral argument before the Fifth Circuit Court of Appeals in New Orleans on December 5, 2019 in Cause No. 19-50324, Rachel Escamilla v. Sheriff Pamela Elliott, et al. Defense counsel respectfully requests the Court to continue the hearing on Status Conference to another available week pursuant to the Court's Calendar. This motion is not made for the purpose of delay but so that justice may be done.

**WHEREFORE, PREMISES CONSIDERED,** Defendant **CITY OF SHAVANO PARK** moves the Court to grant its continuance of the status conference hearing scheduled for December 5, 2019 to another date in accordance with the Court's calendar.

Respectfully submitted,

**LAW OFFICES OF CHARLES S. FRIGERIO**

A Professional Corporation

Riverview Towers

111 Soledad, Suite 840

San Antonio, Texas 78205

(210) 271-7877

(210) 271-0602 Telefax

BY: //s// Charles S. Frigerio

CHARLES S. FRIGERIO

SBN: 07477500

Lead Counsel

HECTOR X. SAENZ

SBN: 17514850

ATTORNEYS FOR DEFENDANT

**CITY OF SHAVANO PARK**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing Defendant City of Shavano Park's Motion for Continuance of the Status Conference Hearing date filed via CM/ECF has been forwarded on this the 18<sup>th</sup> day of November, 2019 via the CM/ECF system to the following:

Mr. Jerad Wayne Najvar

Mr. Austin M.B. Whatley

Najvar Law Firm PLLC

2180 North Loop West, Suite 255

Houston, Texas 77018

Via Email: jerad@najvarlaw.com

austin@najvarlaw.com

//s// Charles S. Frigerio

CHARLES S. FRIGERIO